

FILED

January 23, 2017

**OFFICE OF
APPELLATE COURTS**

STATE OF MINNESOTA

IN SUPREME COURT

ADM10-8050

**ORDER PROMULGATING AMENDMENTS
TO THE RULES OF PUBLIC ACCESS
TO RECORDS OF THE JUDICIAL BRANCH**

Volunteers are appointed by the Minnesota Judicial Branch to serve on various boards, committees, task forces, councils, forums, and other advisory or administrative bodies. The Rules of Public Access to Records of the Judicial Branch ("Access Rules") establish a presumption of privacy for all personnel records, subject to certain exceptions. Minn. R. Pub. Access to Recs. of the Jud. Branch 5, subds. 1-2. The Access Rules clearly address the records of employees, applicants for employment, and appointed volunteers. The records of applicants for volunteer appointments, however, are not expressly mentioned in the Access Rules. The court wishes to clarify the status of access to records of applicants for volunteer appointments in order to encourage volunteer applications and ensure consistency with the access to similar employee and applicant records.

IT IS HEREBY ORDERED that the attached amendments to the Rules of Public Access to Records of the Judicial Branch be, and the same are, prescribed and promulgated to be effective immediately. The rules as amended shall apply to all records pending on, or filed or created on or after, the effective date.

Dated: January 23, 2017

BY THE COURT:



Lorie S. Gildea
Chief Justice

AMENDMENTS TO THE RULES OF PUBLIC ACCESS TO RECORDS OF THE JUDICIAL BRANCH

[Note: In the following amendments, deletions are indicated by a line drawn through the words and additions are indicated by a line drawn under the words.]

RULE 5. ACCESSIBILITY TO ADMINISTRATIVE RECORDS.

All administrative records are accessible to the public except the following:

Subd. 2. Personnel Related Records.

- (a) *Collective Bargaining Planning Records.* Management positions on economic and noneconomic labor relations items that have not been presented during the collective bargaining process or interest arbitration, including information specifically collected or created to prepare the management position.
- (b) *Applicant Records.* Records on individuals collected because the individual is or was an applicant for employment or for voluntary service with the judicial branch, provided, however, that the following information on employment applicants is accessible to the public: veteran status; relevant test scores; rank on eligible lists; job history; education and training; work availability; and, after the applicant has been certified by the appointing authority to be a finalist for a position in public employment, the name of the applicant.